

ACO 2003

OFFICIAL**CARDINAL LAW GROUP**

1603 Orrington Avenue/Suite 2000
Evanston, Illinois 60201
Telephone 847 - 905 - 7111
Facsimile 847 - 905 - 7113

Date: APRIL 13, 2005

To: U.S. PATENT AND TRADEMARK OFFICE
PRE-GANT PUBLICATION DIVISION

Fax #: (703) 872-9306

From: FRANK C. NICHOLAS
Phone #: (847) 424.2521

Client/Matter No.: AUS920010765US1 (9000/75)

of Pages: 4
(including cover sheet)

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL 847/905-7111, Ext. 112 AND ASK FOR JENNIFER CRUZ.

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.

PTO/SB/21 (12-02) Approved for use through 03-30-2003. GPO: 0200-0037. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE
Under the Paper Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB Control number.

TRANSMITTAL FORM

(To be used for all correspondence after April 1995)

Attorney Docket No	AUSS920010755US1 (9000/75)
Application Number	09/997,916
Filing Date	NOVEMBER 29, 2001
First Named Inventor	VIKTORS BERSTIS
Group Art Unit	2167
Examiner	PANNALA, S. R

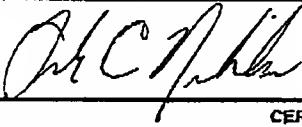
ENCLOSURES (check all that apply)

<input type="checkbox"/> Amendment	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Final	<input type="checkbox"/> Drawings	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Post Card Receipt
<input type="checkbox"/> Extension of Time Request (duplic)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input checked="" type="checkbox"/> Express Abandonment Under 37 CFR 1.138	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/>
<input type="checkbox"/> Information Disclosure Statement, PTO-1449, art	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Petition Under 37 CFR 1.137(c) to Withdraw Holding or Abandonment	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Request of Refund	<input type="checkbox"/>
	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed	
	<input checked="" type="checkbox"/> I hereby pay the under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed	

CALCULATION OF FEE

	Claims After Amendment	Minus	Highest No Previously Paid For	Present Extra	Small Entity		Large Entity	
					Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	\$325=	0	x \$50=	
Indep		Minus		0	x \$100=	0	x \$200=	
First Presentation of Multiple Dep. Claims					x \$180=	—	+ \$360=	
					total add'l fee	\$ 0	total add'l fee	\$ 0

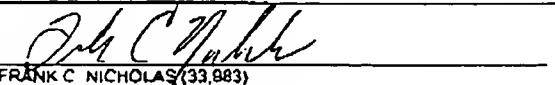
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	FRANK C NICHOLAS Registration No 33,883 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201		
Signature			Date <u>April 13, 2005</u>

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9306 to the United States Patent and Trademark Office on the date

April 13, 2005

Signature		Date <u>April 13, 2005</u>
FRANK C NICHOLAS (33,883)		

PTO Form 112 (7-97) ACCORDING TO 37 CFR 1.3(b) (2000). This form is part of the U.S. DEPARTMENT OF COMMERCE
Under the Paper Reduction Act of 1995, no person is required to respond to a collection of information unless it contains a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Attorney Docket No	AUS920010765US1 (9000/75)
Application Number	08/997,916
Filing Date	NOVEMBER 29, 2001
First Named Inventor	VIKTORS BERSTIS
Group Art Unit	2167
Examiner	PANNALA, S R

ENCLOSURES (check all that apply)

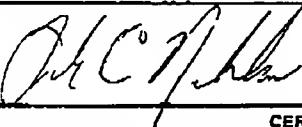
<input type="checkbox"/> Amendment	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Filing:	<input type="checkbox"/> Drawings:	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Post Card Receipt
<input type="checkbox"/> Extension of Time Request (duplic)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Express Abandonment Under 37 CFR 1.138	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/>
<input type="checkbox"/> Information Disclosure Statement, PTO-1449, etc	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Petition Under 37 CFR 1.137(c) to Withdraw Holding or Abandonment	<input type="checkbox"/>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Request of Refund	<input type="checkbox"/>
	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment, to Deposit Account No 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed.	
	<input checked="" type="checkbox"/> I hereby certify under 37 CFR § 1.13(d)(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed.	

CALCULATION OF FEE

	Claims After Amendment	Minus	Highest No Previously Paid For	Present Extra	Small Entity		Large Entity	
					Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	\$25-	0	\$50-	
Indep		Minus		0	\$100-	0	\$200-	
First Presentation of Multiple Dep. Claims					\$180-	—	\$360-	
					(018) 8001 fee	\$ 0	(018) add'l fee	\$ 0

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

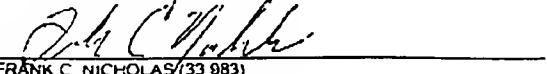
Firm or individual name	FRANK C. NICHOLAS Registration No. 33,983 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston IL 60201
-------------------------------	--

Signature  Date April 13, 2005

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9306 to the
United States Patent and Trademark Office on this date

April 13, 2005

Signature		Date April 13, 2005
FRANK C. NICHOLAS (33,983)		

PTO/SB/24 (06-04)

Approved for use through 07/31/2006 OMB 0651-0031

U S Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

**EXPRESS ABANDONMENT UNDER
37 CFR 1.138**

Fax directly to the Pre-Grant Publication Division at (703) 305-8568, or
mail to: Mail Stop Express Abandonment
Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450

Application Number	09/997,916
Filing Date	NOVEMBER 29, 2001
First Named Inventor	VIKTORS BERSTIS
Art Unit	2167
Examiner Name	PANNALA, S. R.
Attorney Docket Number	AUS920010765US1

Please check only one of boxes 1 or 2 below
(If no box is checked, this paper will be treated as a request for express abandonment as of the filing date of this paper.)

1. Express Abandonment

I request that the above-identified application be expressly abandoned as of the filing date of this paper

2. Express Abandonment in Favor of a Continuing Application

I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith

NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01.

TO AVOID PUBLICATION, PLEASE USE FORM PTO/SB/24A INSTEAD OF THIS FORM.

I am the: applicant

assignee or record of the entire interest. See 37 CFR 3.71
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)

attorney or agent of record Registration Number 33,983

attorney or agent acting under 37 CFR 1.34 (may act under 37 CFR 1.34
only if box 2 above, stating that the application is expressly abandoned in favor of
a continuing application, is checked). Attorney or agent registration number if
acting under 37 CFR 1.34

(Attorney or agent registration number)

Signature

APRIL 13, 2005

Date

FRANK C. NICHOLAS

Typed or printed name

(847) 905-7111

Telephone Number

Note: Signature of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process an application). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2